

COMMITTEE ON GOVERNMENT

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2416

(Reference to printed bill)

Strike everything after the enacting clause and insert:

"Section 1. Title 9, chapter 5, article 2, Arizona Revised Statutes,
is amended by adding section 9-511.04, to read:

9-511.04. Denial of water and wastewater prohibited;
definitions

A. A CITY OR TOWN LOCATED IN A COUNTY WITH A POPULATION OF MORE THAN
FIVE HUNDRED THOUSAND PERSONS THAT PROVIDES DOMESTIC WATER OR WASTEWATER
SERVICES, PURSUANT TO SECTION 9-511, OUTSIDE OF ITS MUNICIPAL BOUNDARIES
SHALL NOT DENY THOSE SERVICES TO THE OWNERS OF LAND OUTSIDE OF ITS MUNICIPAL
BOUNDARIES IF ALL OF THE FOLLOWING APPLY:

1. THE LAND OUTSIDE OF ITS MUNICIPAL BOUNDARIES IS NOT INCLUDED WITHIN
THE TERRITORY TO BE SERVED BY A UTILITY THAT HAS BEEN ISSUED A CERTIFICATE OF
PUBLIC CONVENIENCE AND NECESSITY PURSUANT TO TITLE 40, CHAPTER 2, ARTICLE 4.

2. THE CITY OR TOWN DISTRIBUTES OR SELLS POTABLE WATER THROUGH A
MUNICIPAL WATER DELIVERY SYSTEM AS DEFINED IN SECTION 42-5301.

3. THE PROPERTY OWNER AGREES TO PAY JUST AND REASONABLE RATES, FEES
AND CHARGES FOR THOSE SERVICES AS PERMITTED BY THIS ARTICLE.

4. THE LAND OUTSIDE OF THE MUNICIPAL BOUNDARIES OF THE CITY OR TOWN
SATISFIES ANY OF THE FOLLOWING:

(a) IS SUBSTANTIALLY ADJACENT TO THE CITY OR TOWN.

(b) IS NEAR THE PIPELINE DELIVERY SYSTEM OR OTHER INFRASTRUCTURE THAT
IS OWNED BY THE CITY OR TOWN TO PROVIDE WATER OR WASTEWATER SERVICES TO ANY
EXISTING WATER OR WASTEWATER CUSTOMERS OF THE CITY OR TOWN.

(c) IS ACCESSIBLE TO THE PIPELINE DELIVERY SYSTEM OR OTHER
INFRASTRUCTURE THAT IS OWNED BY THE CITY OR TOWN TO PROVIDE THOSE SERVICES TO
EXISTING CUSTOMERS OF THE CITY OR TOWN, INCLUDING OWNERS OF LAND INSIDE ITS
MUNICIPAL BOUNDARIES AND OUTSIDE ITS MUNICIPAL BOUNDARIES.

1 B. FOR THE PURPOSES OF THIS SECTION:

2 1. "ACCESSIBLE" MEANS LAND THAT MAY BE ACCESSED BY USING A PUBLIC
3 RIGHT-OF-WAY, OR WITHIN THE EASEMENT, THAT CONTAINS THE PIPELINE DELIVERY
4 SYSTEM OR OTHER INFRASTRUCTURE THAT IS OWNED BY THE CITY OR TOWN TO PROVIDE
5 WATER OR WASTEWATER SERVICES TO ANY EXISTING WATER OR WASTEWATER CUSTOMERS OF
6 THE CITY OR TOWN.

7 2. "NEAR THE PIPELINE DELIVERY SYSTEM OR OTHER INFRASTRUCTURE" MEANS
8 THAT ANY PORTION OF THE LAND TO BE SERVED IS LOCATED WITHIN FIFTEEN HUNDRED
9 FEET OF THE PIPELINE DELIVERY SYSTEM OR OTHER INFRASTRUCTURE THAT IS OWNED BY
10 THE CITY OR TOWN TO PROVIDE WATER OR WASTEWATER SERVICES TO ANY EXISTING
11 WATER OR WASTEWATER CUSTOMERS OF THE CITY OR TOWN.

12 3. "PIPELINE DELIVERY SYSTEM OR OTHER INFRASTRUCTURE" MEANS THE LINES,
13 SEWERS, WATER MAINS OR STORM DRAINS USED BY THE CITY OR TOWN TO PROVIDE WATER
14 OR WASTEWATER SERVICES TO ITS CUSTOMERS.

15 4. "SUBSTANTIALLY ADJACENT" MEANS LAND TO BE SERVED THAT IS OUTSIDE
16 THE MUNICIPAL BOUNDARIES OF THE CITY OR TOWN IF ANY PORTION OF THAT LAND
17 ABUTS OR IS LOCATED WITHIN ONE THOUSAND FIVE HUNDRED FEET OF THE MUNICIPAL
18 BOUNDARIES OF THE CITY OR TOWN."

19 Amend title to conform

and, as so amended, it do pass

MICHELLE UGENTI
Chairman

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